

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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WILLIE CHAMBERS,

Plaintiff(s),

CASE NUMBER: 04-71066  
HONORABLE VICTORIA A. ROBERTS

v.

DAMON CORPORATION, et al.,

Defendant(s).

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CLARIFICATION OF ORDER REGARDING DEFENDANTS'  
MOTIONS FOR SUMMARY JUDGMENTS

On June 26, 2005, the Court entered an Order Regarding Defendants' Motions for Summary Judgments. **[Doc. 19]** Defendants request clarification regarding the Court's ruling on their request for dismissal of Plaintiff's Magnuson-Moss Warranty Act claim in Count II, in light of the Court's dismissal of Plaintiff's express warranty claim in Count VI.

The Court clarifies as follows: Trial will proceed on Count I, Breach of Warranty of Merchantability; Count II, Magnuson-Moss Act Violations, *to the extent the violations are based on Plaintiff's implied warranty claims*; Count III, Breach of Implied Warranty; and, Count V, Michigan Consumer Protection Act.

**IT IS SO ORDERED.**

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: August 3, 2005

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on August 3, 2005.

s/Linda Vertriest \_\_\_\_\_  
Deputy Clerk